IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital the 9th March, 2006
Bail Application No. 149 of 2006
Order on the bail application of accused

CRIMINAL SIDE

1. Buta Singh
   S/o Dalip Singh
2. Rakesh Singh Rana
   S/o Madan Singh
   Both R/o Village Bichai
   Police Station – Nanakmatta
   District _ Udham Singh Nagar .....Applicants

Versus

State of Uttaranchal .....Opposite Part

In Case Crime No. 1760 of 2005
U/s 411 I.P.C. & 2/3 Gangster Act
Police Station – Nanakmatta
District – Udham Singh Nagar

Hon'ble J. C. S. Rawat, J.

Heard Smt. Pushpa Joshi-learned counsel for the applicants, and learned Addl G.A. for the State and perused the record.

Today the memo of identification parade was filed and the accused has not been recognized by any of the witnesses. It was pointed out by the learned Addl. G.A. that there is some recovery at the pointing out of the accused. It was contended by the learned counsel for the applicants that it is alleged in the recovery memo that Buta Singh and Rakesh Singh Rana both were taken together and they have stated that they would discover the property which was subject matter of loot. Both the accused entered into the water and brought bag and it was contended that it is a joint discovery.

Considering the facts and circumstances of the case in totality, I am of the view that it is a fit case for bail.

Let the applicant-accused, Buta Singh and Rakesh Singh Rana be released on bail on each furnishing a personal bond and two sureties each in the like amount to the satisfaction of the CJM concerned.

(J.C.S. Rawat, J.)

Dated 09.03.2006

Shiv